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EXAMINER
SCHULTZ, WILLIAM C

ART UNIT	PAPER NUMBER
2664	

DATE MAILED: 02/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-7 and 9-16* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4,6,7,9,11,12 and 14* is/are rejected.

7)☒ Claim(s) *5,10,13,15 and 16* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1,2,4,6,7,9,11,12,14 are rejected under 35 U.S.C. 102(e) as being

anticipated by Cidon et al. [U.S. Pat. 5,579,480].

Regarding claim 1, Cidon et al. discloses multipoint-to-point transmission method

for sending frames of data from at least two sending nodes via one or more forwarding

nodes to one receiving node in an ATM network wherein each frame of data is

partitioned into cells, comprising the steps of:

the sending nodes include a first label into each of the cells representing an

identification of the routing of the cell;**(col. 8, lines 61-63)**

the sending nodes include a second label into each of the cells representing an

identification of the source of the cell;**(col. 8, lines 63-65)**

the forwarding node swaps both the first label associated with a forward direction

(col. 9, lines 65-68; col. 10, lines 21-27) and the second label associated with a

backward direction **(col. 10, lines 30-37)** using the swapping table.**(col. 9, lines 43-53)**

Regarding claim 2, Cidon et al. further discloses the forwarding node swaps the

first and the second label according to the same swapping table. **(col. 11, lines 22-26;**

table 3; col. 12, lines 10-54 – discloses an example of forward VC traversal using

table 3; col. 13, lines 19-25 – discloses an example of reverse VC traversal using

table 3; the node is using the same table for both label swapping functions)

Regarding claim 4, Cidon et al. further discloses the swapping of the second

label is carried out for the same ports of the respective forwarding nodes as for the first

label. (col. 11, lines 22-26; table 3; col. 12, lines 10-54 – discloses an example of

forward VC traversal using table 3; col. 13, lines 19-25 – discloses an example of

reverse VC traversal using table 3; the node is using the same table for both label

swapping functions so it is using the same ports)

Regarding claim 6, Cidon et al. discloses an apparatus for sending frames of

data in a multipoint-to-point fashion from at least two sending nodes via one or more

forwarding nodes to one receiving node in an ATM network wherein each frame of data

is portioned into cells, comprising:

in the sending nodes, means for including a first label into each of the cells

representing an identification of the routing of the cell; (col. 8, lines 61-63)

in the sending nodes, means for including a second label into each of the cells

representing an identification of the source of the cell; (col. 8, lines 63-65)

in the forwarding node, means for swapping both the first label associated with a

forward direction(col. 9, lines 65-68; col. 10, lines 21-27) and the second label

associated with a backward direction(col. 10, lines 30-37) using the swapping table;

.(col. 9, lines 43-53)and

in the forwarding node, with respect to the second label, means for entering the

swapping table in the column of the output labels and reading the corresponding input

label. **(col. 13, lines 22-30; table 3; disclosed is the reading of the input label**

marked Pin on the table when 2,1023, which is an output label, is found)

Regarding claim 7, Cidon et al. further discloses the forwarding node swaps the

first and the second label according to the same swapping table. **(col. 11, lines 22-26;**

table 3; col. 12, lines 10-54 – discloses an example of forward VC traversal using

table 3; col. 13, lines 19-25 – discloses an example of reverse VC traversal using

table 3; the node is using the same table for both label swapping functions)

Regarding claim 9, Cidon et al. further discloses the swapping of the second

label is carried out for the same ports of the respective forwarding nodes as for the first

label. **(col. 11, lines 22-26; table 3; col. 12, lines 10-54 – discloses an example of**

forward VC traversal using table 3; col. 13, lines 19-25 – discloses an example of

reverse VC traversal using table 3; the node is using the same table for both label

swapping functions so it is using the same ports)

Regarding claim 11, Cidon et al. discloses multipoint-to-point transmission

method for sending frames of data from at least two sending nodes via one or more

forwarding nodes to one receiving node in an ATM network wherein each frame of data

is partitioned into cells, comprising the steps of:

the sending nodes include a first label into each of the cells representing an

identification of the routing of the cell;**(col. 8, lines 61-63)**

the sending nodes include a second label into each of the cells representing an

identification of the source of the cell;**(col. 8, lines 63-65)**

the forwarding node swaps both the first label associated with a forward direction

(col. 9, lines 65-68; col. 10, lines 21-27) and the second label associated with a

backward direction **(col. 10, lines 30-37)** using the swapping table**(col. 9, lines 43-53)**

and with respect to the second label, the forwarding node enters the swapping table in

the column of the output labels and reads the corresponding input label. **(col. 13, lines**

22-30; table 3; disclosed is the reading of the input label marked Pin on the table

when 2,1023, which is an output label, is found)

Regarding claim 12, Cidon et al. further discloses the forwarding node swaps the

first and the second label according to the same swapping table. **(col. 11, lines 22-26;**

table 3; col. 12, lines 10-54 – discloses an example of forward VC traversal using

table 3; col. 13, lines 19-25 – discloses an example of reverse VC traversal using

table 3; the node is using the same table for both label swapping functions)

Regarding claim 14, Cidon et al. further discloses the swapping of the second

label is carried out for the same ports of the respective forwarding nodes as for the first

label. **(col. 11, lines 22-26; table 3; col. 12, lines 10-54 – discloses an example of**

forward VC traversal using table 3; col. 13, lines 19-25 – discloses an example of

reverse VC traversal using table 3; the node is using the same table for both label

swapping functions so it is using the same ports)

Allowable Subject Matter

Claims 5,10,13,15,16 are objected to as being dependent upon a rejected base

claim, but would be allowable if rewritten in independent form including all of the

limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to William C. Schultz whose telephone number is 703-305-

2367. The examiner can normally be reached on M-F(7-4)(first bi-week) M-Th(7-

4)(second bi-week).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wellington Chin can be reached on 703-305-4366. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-305-

3900.

William Schultz
January 29, 2004

WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600